



January 22, 2004

Ronald Brown
RCRA Enforcement Office (WST-3)
Waste Management Division
U S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901

Re: Warning letter and request for information under Section 3007(a) of the
Resource Conservation and Recovery Act

Enclosed is a copy of the warning letter and pictures showing that we have
corrected the issue. Please let me know if you need anything else.

Sincerely,

Lynnette J. Vavrek
Chief Financial Officer



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

JAN 05 2004

Certified Mail No. 7000 0520 0021 6109 7590
Certified Receipt Requested

Mr. James Foasberg III
Foasberg Corporate Office
640 E. Wardlow Road
Long Beach, CA 90807

Re: Warning Letter and Request for Information under Section 3007(a) of the Resource Conservation and Recovery Act

Dear Mr. Foasberg:

On November 5, 2003, a hazardous waste inspection was conducted by representatives of the United States Environmental Protection Agency ("U.S. EPA") at the Foasberg laundry ("Foasberg"), located at 3337 E. Broadway in Long Beach, California (EPA Identification Number CAD 980 813 406). During the course of this inspection, information was gathered in accordance with Section 3007 of the Resource Conservation and Recovery Act ("RCRA"), as amended [42 U.S.C. 6927]. A copy of the inspection report is enclosed for your information and response.

The report describes conditions at the time of the inspection, and identifies an area of noncompliance with RCRA regulations and the California authorized program under RCRA Subtitle C. Any omission(s) in the report shall not be construed as a determination of compliance with all applicable regulations.

On November 7, 2003, Ms. Lynnette J. Vavrek, Foasberg's Chief Financial Officer, submitted all hazardous waste manifests for 2002 and 2003 (through October 2003), as requested during the inspection. However, not all of the information requested during the inspection was submitted.

Pursuant to Section 3007(a) of RCRA [42 U.S.C. 6927(a)], you are required to:

- 1. Submit documentation that the satellite accumulation containers of perchloroethylene-contaminated water by the water separator are properly labeled or marked, as required by 22 CCR § 66262.34(e)(1)(C) and (E), and 66262.34(f)(3).**

Section 3008 of RCRA, 42 U.S.C. 6928, authorizes the initiation of a civil enforcement proceeding for failure to respond fully to the information request set out in this letter. Section 3008 also authorizes criminal prosecution for knowingly making a false statement or omitting

material information.

Your response to this information request must include a letter signed by a duly authorized official of your facility, certifying correction of the identified areas of noncompliance. Documentation of your return to compliance may consist of, among other things, photographs, manifests and revised records. Where compliance cannot be achieved within 30 days, you must provide to EPA the reasons for the delay, a description of each corrective action planned and a schedule on which each corrective action will be taken.

By copy of this letter, EPA is providing the State of California with notice of the referenced violations of Subtitle C of RCRA. EPA is also providing the State with notice that EPA may take appropriate enforcement action if the facility does not resolve the violations within the time specified above, and the State does not take appropriate enforcement action. The State of California may notify EPA of its intent to assume or decline responsibility to take such action to resolve the referenced violations.

EPA reserves the right to take further enforcement action as it deems appropriate. However, your response to this letter will be considered in determining the need for further enforcement action. Violations of Subtitle C of RCRA such as those listed in the enclosed report may be punishable by civil and criminal actions, including penalties of up to \$27,500 per day for each violation as provided by Section 3008 of RCRA.

EPA routinely provides copies of investigation reports to state agencies, and upon request, to the public. Such releases are handled according to the Freedom of Information Act regulations (40 CFR Part 2). If you believe this report contains privileged or confidential information, you may make a claim within fourteen (14) calendar days of your receipt of this letter. EPA will construe your failure to furnish a timely claim as a waiver of the confidentiality claim.

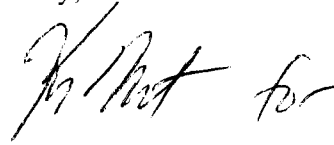
This request for information is not subject to review by the Office of Management and Budget ("OMB") under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. §§3502(3), 3507, 3512, and 3518(c)(1). See, also, 5 C.F.R. §§ 1320.3(c), 1320.4, and 1320.6(a). Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons. 44 U.S.C. §3502(4), (11); 5 C.F.R. §§ 1320.4 and 1320.6(a).

Your response to this Warning Letter, due within 30 calendar days of your receipt of this letter, shall be mailed to:

Ronald Brown
RCRA Enforcement Office (WST-3)
Waste Management Division
U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901

If you have questions related to the inspection report or this letter, please contact Ronald Brown at (415) 972-3292, or by e-mail at brown.ron@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Schultz".

Francis Schultz, Manager
RCRA Enforcement Office (WST-3)

Enclosure

cc: Charles McLaughlin, DTSC, State Regulatory Programs Division with enclosure







640 East Wardlow Rd.
Long Beach, CA 90807

(562) 426-7345

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